

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ELIZABETH BOYD,
Plaintiff,

v.

Civil Action
No. 13-10884-RWZ

CAROLYN W. COLVIN, ACTING COMMISSIONER
OF THE SOCIAL SECURITY ADMINISTRATION,
Defendant.

ORDER

ZOBEL, D.J.

On April 25, 2013, this Court granted plaintiff's Motion for Leave to Proceed *in forma pauperis* (Docket No. 6). See Order (Docket No. 7).

Upon review of the plaintiff's complaint, it is hereby ORDERED that:

1. The Acting Commissioner of the Social Security Administration, Carolyn W. Colvin, shall be SUBSTITUTED as a party to this action in lieu of former Commissioner Michael J. Astrue;
2. The Clerk shall issue summons(es).
3. The Clerk shall send the summons(es), complaint, and this Order to the plaintiff, who must thereafter serve the defendant(s) in accordance with Federal Rule of Civil Procedure 4(m). The plaintiff may elect to have service made by the United States Marshal Service. If directed by the plaintiff to do so, the United States Marshal Service shall serve the summons(es), complaint, and this Order upon the defendant(s), in the manner directed by the plaintiff, with all costs of service to be advanced by the United States Marshal Service.
4. Notwithstanding Fed. R. Civ. P. 4(m) and Local Rule 4.1, the plaintiff shall have 120 days from the date of this Order to complete service.
5. In order to ensure the Court's judicial resources are not wasted, Attorney Michael J. Kelley is directed to submit, at the time of filing any complaint, either a Motion for Leave to Proceed *in forma pauperis* (including the plaintiff's financial affidavit), or payment of the Court's filing and administrative fees. Alternatively, he may file a "Motion for Leave to File An *In Forma Pauperis* Motion and Financial Affidavit Late" demonstrating good cause why an *in forma pauperis* motion could not be filed along with the complaint. Failure to comply with this

directive may result in the imposition of sanctions. Attorney Kelley remains obligated to comply with the directives contained in Magistrate Judge Bowler's Order in Voutour v. Astrue, C.A. 10-11127-MBB (Memorandum and Order (Docket No. 4 at 3) (directing that Attorney Kelley "shall not file any motions for leave to proceed *in forma pauperis* unless such motions are accompanied by the financial affidavit required by 28 U.S.C. § 1915(a)(1), or unless he files a motion for leave to file the financial affidavit late, upon good cause shown").

SO ORDERED.

/s/ Rya W. Zobel
RYA W. ZOBEL
UNITED STATES DISTRICT JUDGE

DATED: May 1, 2013